

1 BILL NO. G-96-02-04

2 GENERAL ORDINANCE NO. 2-07-96

3 AN ORDINANCE AMENDING
4 CHAPTER 51, SECTION 51.075 OF
5 THE CITY OF FORT WAYNE CODE OF
6 ORDINANCES.

7
8 WHEREAS, under the current provisions of the Fort Wayne Code of
9 Ordinances waste haulers are billed per 5000 gallon load, or any portion thereof,
10 for industrial waste; and

11 WHEREAS, many waste haulers have trucks whose tanks cannot
12 hold 5000 gallons, yet they must be charged for a minimum of 5000 gallons under
13 the current ordinance.

14 WHEREAS, City Utilities desires to charge waste haulers in a more
15 equitable manner pending final resolution of this matter with implementation of the
16 Water Pollution Control Utility Cost of Service Study to be completed later in
17 1996.
18

19
20 NOW, THEREFORE, BE IT ORDAINED BY THE COMMON
21 COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:
22

23
24 SECTION 1. Section 51.075 of Chapter 51 of the Fort Wayne Code
25 of Ordinances is amended as follows:
26

Sec. 51.075. Bulk Waste Charges.

(A) Industrial: For all industrial waste suitable for disposal directly through the plant digestors which has been delivered by the Customer to City's plant - \$57.50 per 1000 gallons of tank capacity, or any fraction thereof.

(B) Domestic: For all domestic waste delivered to plant by customer's truck or tank - \$37.25 per 1,000 gallons of tank capacity or any fraction thereof.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage, and any and all necessary approval by the Mayor and legal publication thereof, and applied retroactively to September 16, 1995. Waste haulers shall receive credit for overpayments made under the previous provisions of this Ordinance.

Rebecca Harris
Council Member

APPROVED AS TO FORM AND LEGALITY

J. Timothy McCaulay
J. TIMOTHY McCAULAY, CITY ATTORNEY




The City of Fort Wayne

City Utilities

MEMORANDUM

TO: MEMBERS OF COMMON COUNCIL

FROM: TERRY L. ATHERTON, DIRECTOR OF UTILITIES 

DATE: February 8, 1996

SUBJECT: WASTE HAULER RATES

This ordinance was requested by various haulers of industrial and domestic waste to the Water Pollution Control Plant and by Don Schmidt.

Historically, the charge per 5000 gallons was based on a semi-trailer tank truck which brought loads to the Plant in the mid-80s. The 5000 gallon increment charge has never been changed even though records show that most current waste hauler trucks only carry 1000-3000 gallons per load. Volume capacity is stamped on all trucks per State law; therefor, it will be no problem to bill by 1000 gallon increments.

TIA:dcb

Read the first time in full and on motion by Parmer
and duly adopted, read the second time by title and referred to the
committee on Regulations (and the City Plan Commission
or recommendation) and Public Hearing to be held after due legal notice, at
the Common Council Council Conference Room 128, City-County Building, Fort
Wayne, Indiana, on _____, 19____, the _____ day of _____
M., E.S.T.

DATED: 2-13-96

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Hayhurst
and duly adopted, placed on its passage. PASSED YES
by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
TOTAL VOTES	<u>7</u>			<u>2</u>
BENDER	<u>✓</u>			
CRAWFORD	<u>✓</u>			
EDMONDS				<u>✓</u>
HALL	<u>✓</u>			
HAYHURST	<u>✓</u>			
HENRY	<u>✓</u>			
LUNSEY	<u>✓</u>			
RAVINE	<u>✓</u>			
SCHMIDT				

DATED: 2-27-96

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne,
Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL)
(SPECIAL) (ZONING) ORDINANCE RESOLUTION NO. 2-07-96
on the 27th day of February, 1996

ATTEST: Sandra E. Kennedy Rebecca Perrine
SANDRA E. KENNEDY, CITY CLERK PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on
the 28th day of February, 1996,
at the hour of 11:00 o'clock A. M., E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 4th day of March,
1996, at the hour of 2:00 o'clock P. M., E.S.T.

Paul Helmke
PAUL HELMKE, MAYOR

BILL NO. G-96-02-04

REPORT OF THE COMMITTEE ON
REGULATIONS
REBECCA J. RAVINE - THOMAS E. HAYHURST - CO-CHAIR
ALL COUNCIL MEMBERS

WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS
REFERRED AN (ORDINANCE) (~~RESOLUTION~~) AMENDING CHAPTER 51, SECTION
51.075 OF THE CITY OF FORT WAYNE CODE OF ORDINANCES

HAVE HAD SAID (ORDINANCE) (~~RESOLUTION~~) UNDER CONSIDERATION
AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID
(ORDINANCE) (~~RESOLUTION~~)

DO PASS

DO NOT PASS

ABSTAIN

NO REC

<u>Rebecca Ravine</u>	<u>Thomas E. Hayhurst</u>		
<u>Martin A. Benda</u>			
<u>John W. Crumley</u>			
<u>D. D. D.</u>			
<u>James E. King</u>			
<u>Mark L. L.</u>			
<u>Debbie L.</u>			

DATED: 2-27-96.

Sandra E. Kennedy
City Clerk



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ROOM 122 • FORT WAYNE, INDIANA 46802 • 219-427-1221

SANDRA E. KENNEDY, CITY CLERK

March 6, 1996

Ms. Connie Lambert
Fort Wayne Newspapers, Inc.
600 West Main Street
Fort Wayne, IN 46802

Dear Ms. Lambert:

Please give the attached full coverage on the dates of March 9 and March 16, 1996, in both the News Sentinel and Journal Gazette.

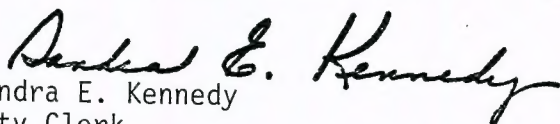
RE: Legal Notice for Common Council
of Fort Wayne, IN

Bill No. G-96-02-04
Bulk Waste Charges

Please send us 3 copies of the Publisher's Affidavit from both newspapers.

Thank you.

Sincerely yours, _____


Sandra E. Kennedy
City Clerk

SEK/ne
ENCL: 1

LEGAL NOTICE

Notice is hereby given that on the 27th day of
February, 19 96, the Common Council of the City
of Fort Wayne, Indiana, in a Regular Session did pass
the following Bill No. G-96-02-04 General
Ordinance No. G-07-96 to-wit:

BILL NO. G-96-02-04

GENERAL ORDINANCE NO. G-07-96

**AN ORDINANCE AMENDING
CHAPTER 51, SECTION 51.075 OF
THE CITY OF FORT WAYNE CODE OF
ORDINANCES.**

WHEREAS, under the current provisions of the Fort Wayne Code of
Ordinances waste haulers are billed per 5000 gallon load, or any portion thereof,
for industrial waste; and

WHEREAS, many waste haulers have trucks whose tanks cannot
hold 5000 gallons, yet they must be charged for a minimum of 5000 gallons under
the current ordinance.

WHEREAS, City Utilities desires to charge waste haulers in a more
equitable manner pending final resolution of this matter with implementation of the
Water Pollution Control Utility Cost of Service Study to be completed later in
1996.

**NOW, THEREFORE, BE IT ORDAINED BY THE COMMON
COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:**

SECTION 1. Section 51.075 of Chapter 51 of the Fort Wayne Code
of Ordinances is amended as follows:

Sec. 51.075. Bulk Waste Charges.

(A) Industrial: For all industrial waste suitable for disposal directly through the
plant digestors which has been delivered by the Customer to City's plant - \$57.50
per 1000 gallons of tank capacity, or any fraction thereof.

(B) Domestic: For all domestic waste delivered to the City's plant - \$57.50

Read the third time in full and on motion by Hayhurst, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Seven
Bender, Crawford, Hall, Hayhurst,
Henry, Lunsey, Ravine

NAYS: None

ABSTAINED: None

ABSENT: Two
Edmonds, Schmidt

DATED: 2-27-96

Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-07-96, on the 27th day of February, 1996

ATTEST

SEAL

Sandra E. Kennedy
City Clerk

Rebecca Ravine
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of February, 1996, at the hour of 11:00 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 4th day of March, 1996, at the hour of 2:00 o'clock P.M., E.S.T.

Paul Helmke
Mayor

I, The Clerk of the City of Fort Wayne, Indiana do hereby certify that the above and foregoing is a full, true and complete copy of _____ General _____ Ordinance No. G-07-96, passed by the Common Council on the 27th day of February, 19 96, and that said Ordinance was duly signed and approved by the Mayor on the 4th day of March, 19 96, and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 4th day of March, 19 96.

SEAL


SANDRA E. KENNEDY, CITY CLERK

FW COMMON COUNCIL
(Governmental Unit)

To: The News-Sentinel Dr.
P.O. Box 100
Fort Wayne, IN

ALLEN County, Indiana

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of type in which the body of the advertisement is set) -- number of equivalent lines

Head -- number of lines

Body -- number of lines

Tail -- number of lines

Total number of lines in notice

COMPUTATION OF CHARGES

LEGAL NOTICE

Notice is hereby given that on the 27th day of February, 1996, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill No-G-96-02-04 General Ordinance No. G-07-96 to-wit:

BILL NO. G-96-02-04

GENERAL ORDINANCE NO. G-07-96

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WHEREAS, many waste haulers have trucks whose tanks cannot hold 5000 gallons, yet they must be charged for a minimum of 5000 gallons under the current ordinance.

WHEREAS, City Utilities desires to charge waste haulers in a more equitable manner pending final resolution of this matter with implementation of the Water Pollution Control Utility Cost of Service Study to be completed later in 1996.

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SECTION 2. That this ordinance shall be in full force and effect from and after its passage, and any and all necessary approval by the Mayor and legal publication thereof, and applied retroactively to September 16, 1995. Waste haulers shall receive credit for overpayments made under the previous provisions of this Ordinance.

columns wide equals 111 equivalent lines

\$ 57.72

containing rule or tabular work

publication (\$1.00 for each proof in excess of two)

1.00

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nd penalties of Chapter 155, Acts 1953,

going account is just and correct, that the amount allowing all just credits, and that no part of the

19 96 Title: Clerk

PUBLISHER'S AFFIDAVIT

Rebecca J. Ravine
Council Member

Read the third time in full and on motion by Hayhurst, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Seven
Bender, Crawford, Hall, Hayhurst,
Henry, Lunsey, Ravine
NAYS: None
ABSTAINED: None
ABSENT: Two
Edmonds, Schmidt

Dated: 2-27-96 Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-07-96, on the 27th day of February, 1996

ATTEST

Sandra E. Kennedy Rebecca Ravine
City Clerk Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of February, 1996, at the hour of 11:00 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 4th day of March, 1996, at the hour of 2:00 o'clock P.M., E.S.T.

Paul Helmke Mayor

State of Indiana)
) ss:
Allen County)

Personally appeared before me, a notary public in and for said county and state, the undersigned JULIE L ROHYANS who, being duly sworn, says that he/she is Clerk of the The News-Sentinel newspaper of general circulation printed and published in the English language in the (city) (town) of Fort Wayne, IN in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time , the dates of publication being as follows:

3-9-16-1996

Julie L Rohyans

subscribed and sworn to before me this 16th day of MARCH, 1996.

The Clerk of the City of Fort Wayne, Indiana do hereby certify that the above and foregoing is a full, true and complete copy of General Ordinance No. 3-07-96 passed by the Common Council on the 27th day of February, 1996, and that said Ordinance was duly signed and approved by the Mayor on the 4th day of March on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 4th day of March 1996.

Sandra E. Kennedy, City Clerk
3-9-16 #141644

Mary L Schneider
Notary Public

MARY L SCHNEIDER
NOTARY PUBLIC STATE OF INDIANA
ALLEN COUNTY
MY COMMISSION EXP JUNE 14, 1997

y commission expires:

FW COMMON COUNCIL

(Governmental Unit)

To: The Journal-Gazette Dr.
P.O. Box 100
Fort Wayne, IN

ALLEN

County, Indiana

PUBLISHER'S CLAIM

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Council Member

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PASSED by the following vote:

AYES: Seven
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Henry, Lunsey, Ravine
NAYS: None
ABSTAINED: None
ABSENT: Two
Edmonds, Schmidt

Dated: 2-27-96

Sandra E. Kennedy
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-07-96, on the 27th day of February, 1996
ATTEST:

Sandra E. Kennedy
City Clerk

Rebecca Ravine
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of February, 1996, at the hour of 11:00 o'clock A.M., E.S.T.

Sandra E. Kennedy
City Clerk

Approved and signed by me this 4th day of March, 1996, at the hour of 2:00 o'clock P.M., E.S.T.

Paul Helmke Mayor

I, The Clerk of the City of Fort Wayne, Indiana do hereby certify that the above and foregoing is a full, true and complete copy of General Ordinance No. G-07-96 passed by the Common Council on the 27th day of February, 1996, and that said Ordinance was duly signed and approved by the Mayor on the 4th day of March on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 4th day of March 1996.
Sandra E. Kennedy, City Clerk
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19 96

Title:

Clerk

PUBLISHER'S AFFIDAVIT

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), ss:

a County)

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rsigned JULIE L ROHYANS who, being duly sworn, says that he/

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3-9-16-1996

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Notary Public

MARY L SCHNEIDER

NOTARY PUBLIC STATE OF INDIANA

ALLEN COUNTY

MY COMMISSION EXP JUNE 14, 1997